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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,367	07/15/2003	Edward Crandal Cooney, III	BUR920020066US2	1366

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IBM MICROELECTRONICS
INTELLECTUAL PROPERTY LAW
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EXAMINER

VINH, LAN

ART UNIT	PAPER NUMBER
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1765

DATE MAILED: 02/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/604,367

Applicant(s)

COONEY, III ET AL.

Examiner

Lan Vinh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18-24 is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☒ Claim(s) 13-17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-8, 10-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Lin et al (US 6,777,045).

Lin discloses a method of manufacturing a processing chamber. The method comprises the steps of:

etching a workpiece in a etch reaction chamber (col 2, lines 55-60) , the work piece having the dielectric layers/element (col 3, lines 1-3), the sputtering etching step resulting in the sputtered material adhered to the expose surface 422 that serves as the ceiling of the chamber (col 5, lines 33-40), which reads on a first layer of reaction products during the etch step that partially adhere to the inner chamber wall

introducing a species into the etch chamber to form a coat/layer that promote the adherence of the chamber generated particulate matter/sputter etched material onto the surface 422/ceiling of the chamber (col 7, lines 35-41), which reads on introducing a species into said etch chamber after the etching step that in-creases the adhesion of said first layer of reaction products to said inner chamber walls

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Regarding claim 2, Lin discloses forming a second layer 425 on the first layer (fig. 3C)

Regarding claims 3-4, Lin discloses using a sputter etch chamber (col 2, lines 55-60)

Regarding claim 5, Lin discloses that the chamber may be fabricated from quartz (col 3, lines 15-20)

Regarding claim 6, Lin discloses that the substrate/workpiece is semiconductor material

Regarding claims 7-8, Lin discloses that the workpiece having the dielectric materials such as PSG/low k material (col 3, lines 1-3)

Regarding claims 10-12, Lin discloses using a quartz plate 190/ring surrounding workpiece (col 3, lines 37-40)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lin et al (US 6,777,045) in view of Gupta et al (US 6,020,035)

Lin method has been described above. Unlike the instant claimed invention as per claim 9, Lin fails to specifically disclose introducing species comprises silicon and oxygen into the chamber

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Gupta discloses a method for reducing contamination in a plasma chamber comprises the step of introducing a species of oxygen and TEOS into the etch chamber to form a layer that covers the reaction product (col 11, lines 12-29)

One skilled in the art at the time the invention was made would have found it obvious to modify Lin by introducing a species of oxygen and TEOS into the etch chamber to deposit a seasoning/contaminant reducing layer in the chamber as taught by Gupta (col 11, lines 13-17)

Allowable Subject Matter

5. Claims 13-17 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 18-24 allowed.

Response to Arguments

6. Applicant's arguments filed 12/16/2005 have been fully considered but they are not persuasive

The applicants argue that Lin is silent on introducing the coating layer 420 during or after any step of processing a substrate because Lin discloses that coating layer 420 is applied to the reaction chamber wall one time before the reaction chamber is used for processing substrate/Lin discloses forming a coating layer on the chamber wall before any type of processing. This argument is unpersuasive because Lin discloses

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introducing a species into the etch chamber to form a coat 420 /layer that promote the adherence of the sputter etched material onto the component 410/ceiling of the chamber (col 7, lines 35-41), which certainly reads on introducing a species into said etch chamber after the etching step is performed. Thus, the examiner asserts that Lin discloses introducing the coating layer 420 after an etching step/ step of processing a substrate

7. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan Vinh whose telephone number is 571 272 1471.

The examiner can normally be reached on M-F 8:30-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine Norton can be reached on 571 272 1465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LV

February 16, 2006